

EXHIBIT 7

Declaration of Richard Dill
U.S. Army Corps of Engineers

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, and DAWN BUCKINGHAM, M.D., in her official capacity as Commissioner of the Texas General Land Office,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF HOMELAND SECURITY; and ALEJANDRO MAYORKAS, in his official capacity as Secretary of the Department of Homeland Security,

Defendants.

Civil Action No. 7:21-cv-00272

THE STATE OF MISSOURI; THE STATE OF TEXAS,

Plaintiffs,

v.

JOSEPH R. BIDEN, in his official capacity as President of the United States, *et al.*

Defendants.

Civil Action No. 7:21-cv-00420
(formerly No. 6:21-cv-00052)

DECLARATION OF RICHARD DILL

I, Richard Dill, declare as follows:

1. This declaration is based on my own personal knowledge and information made available to me in the course of my official duties.
2. I am employed by the United States Army Corps of Engineers (“USACE”), which is an agency of the Department of the Army. I have been the Acting Chief of the Tactical

Infrastructure (“TI”)¹ Branch, under the Engineering and Construction Support Office (“ECSO”) Division, in the Fort Worth District since March 2024. I have been the Chief of the Interagency & International Services (“IIS”) Branch, under the Program & Project Management Division (“PPMD”), in the Fort Worth District since September 2020. I manage services provided to the United States Customs and Border Protection (“CBP”) for the construction of border infrastructure projects from design to final construction completion and contract closeout by USACE under the Economy Act.² From August 2011 to July 2017, I served as the TI Program Manager for the TI Branch of ECSO. From July 2017 to September 2020, I served as the Program Branch Chief of the BI PMO.

3. Based upon my current and past job duties, I am familiar with the actions that USACE undertakes to support CBP’s efforts to construct physical barriers along the southern border, including the acquisition and disposition of construction materials.
4. USACE plays a critical role in the planning, design, and construction of various infrastructure projects across the United States, including those related to border security. In the context of the border barrier construction, USACE has had a long-standing relationship with CBP and has been executing the construction of border infrastructure under the United States Department of Homeland Security (“DHS”)/CBP interagency agreements since 2007. USACE support to CBP’s barrier construction efforts includes providing labor, technical expertise and services for planning, design, contract acquisition, project management, construction oversight, real estate acquisition and contract administration.

¹ FNA: Border Infrastructure Program Management Office (“BI PMO”).

² Since March 2024, services have been generally limited to: minimal construction completion and real estate matters, disposition of remaining construction materials, and Termination Settlement Proposals (“TSP”).

5. In accordance with these interagency agreements and the requirements of the Economy Act, CBP's appropriated funds are used to pay the costs of the border wall projects executed by USACE on CBP's behalf, to include labor and construction materials.
6. Following the issuance of the DHS Border Wall Plan in June 2021, CBP directed USACE to terminate various border wall construction contracts that were funded by CBP appropriated funds. USACE took appropriate steps to suspend and later terminate these contracts.
7. There were approximately 47,066 unused bollard panels³ from terminated CBP-funded construction projects that were stored on USACE construction contractor storage yards. USACE has since facilitated the transfer of 17,507 of these unused bollard panels to CBP storage yards for use on barrier construction projects, which include the 17-mile Starr County barrier project in the Rio Grande Valley. To date, approximately 29,559 unused bollard panels remain stored on USACE construction contractor storage yards, which are funded as part of the original construction contracts with either fiscal year 2018 or 2019 DHS funds. No fiscal year 2020 or 2021 DHS barrier system funds are being utilized to pay for storage yard costs. Currently, USACE has no CBP directive, or has otherwise arranged, for the movement, transfer, disposal, or other disposition of any remaining unused bollard panels purchased with CBP funds.

³ Bollard panels are 8-foot wide assembled border barrier fence/wall panels made of 4x4 inch steel bollards, which are assets of CBP that USACE is managing on their behalf at this time.

This declaration is made pursuant to 28 U.S.C. 1746. I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 23rd day of December, 2024

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Richard S. Dill
Acting Chief, Tactical Infrastructure Branch (EC SO) &
Chief, Interagency & International Services (IIS) Branch
Program & Project Management Division
United States Army Corps of Engineers, Fort Worth District